

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
VICTOR NIEDERHOFFER,

Plaintiff,

- against -

BARBARA LOUIS,

Defendants.
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NOTICE OF MOTION

Case No. 22-CV-10017 (LGS)

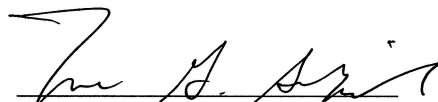
PLEASE TAKE NOTICE that upon the Declaration of Stuart M. Riback dated January 12, 2023 and the exhibits thereto, the Declaration of Victor Niederhoffer dated January 12, 2023 and the accompanying Memorandum of Law, Plaintiff Victor Niederhoffer will move the Honorable Lorna G. Schofield, United States District Judge for an order: (a) pursuant to Fed. R. Civ. P. 12(b)(6), dismissing the Counterclaim served by Defendant Barbara Louis; (b) pursuant to Fed. R. Civ. P. 12(c), for judgment on the pleadings; (c) if any portion of the Counterclaim is not dismissed, pursuant to Fed. R. Civ. P. 12(f), striking certain portions of the Counterclaim as redundant, immaterial, impertinent and scandalous; and (d) granting Niederhoffer such other and further relief as may seem to the Court just and proper.

Dated: New York, New York
January 12, 2023

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LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Application **DENIED** without prejudice to renewal. A party intending to file a motion to dismiss shall comply with the Court's Individual Rule III.C.2.

The Clerk of Court is respectfully directed to close the motion at Dkt. No. 10 and to mail a copy of this Order to the pro se Defendant.

Dated: January 13, 2023
New York, New York